

SEP 22 2006

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Patrick J. Crank  
Attorney General  
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123 State Capitol  
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Counsel for Plaintiff State of Wyoming

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING

STATE OF WYOMING,

Plaintiff,

vs.

USDA ET AL,

Defendant(s).

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Case No. 01-CV-86B

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**MOTION FOR RELIEF FROM JUDGMENT OR ORDER  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 60(b)**

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COMES NOW the State of Wyoming, acting by and through the Wyoming Attorney General's Office, and respectfully moves the Court to grant relief from the Final Order it issued on January 3, 2006, pursuant to Rule 60(b)(6) and to reinstate the Court's Order dated July 14, 2003.

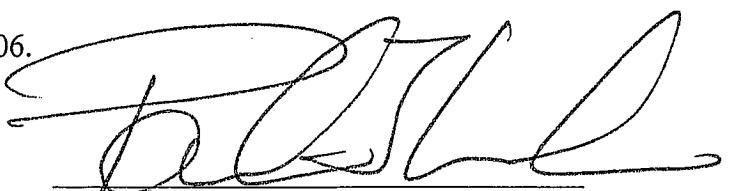
In support of said Motion, the State of Wyoming has filed simultaneously herewith a Memorandum of Points and Authorities supporting Motion for Relief from Judgment or Order Pursuant to Federal Rule of Civil Procedure 60(b).

The State of Wyoming hereby prays as follows:

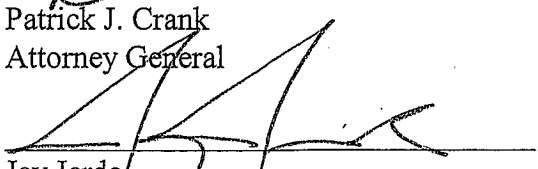
1. That the Court hold an immediate hearing on this motion;

2. That the Court grant relief from the Order issued on January 3, 2006;
3. That the Court reinstate the Order it originally entered in this matter which concluded that the Clinton Roadless Rule was promulgated in violation of the National Environmental Policy Act, the Wilderness Act, and permanently enjoined enforcement of the rule. *See, Wyoming v. United States Dep't. of Agric.*, 277 F.Supp. 2d 1197, 1239 (D.Wyo. 2003) (Brimmer, J.);
4. In accordance with U.S.D.C.L.R. 7.1(b)(1)(A), undersigned counsel conferred with counsel for the opposing parties via telephone on September 21, 2006, to learn their position on the relief requested. The Environmental Intervenor-Defendants oppose the motion. The Federal Defendants take no position on the motion at this time.
5. That the Court award the parties any and all additional relief to which they are entitled.

Dated this 22<sup>ND</sup> day of September, 2006.



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### CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 22<sup>nd</sup> day of September, 2006, a true and correct copy of the foregoing MOTION FOR RELIEF FROM JUDGMENT OR ORDER PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 60(b) was served upon the following as indicated:

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